

U.S. Serial No. 09/721,790
Attorney Docket No. 42390.P3581R

REMARKS

The applicant has carefully considered the Decision on Appeal, the Examiner's Answer, the Office action dated December 16, 2002 (hereinafter "final Office action"), and the art cited in the final Office action. By way of this Response, claims 1, 5, 7, 10, 12, 17, 19, 24, and 28 have been amended. Claims 1-32 are pending at issue, with claims 1, 5, 7, 10, 12, 19, 24, and 28 being independent. As explained below, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

In the final Office action, claims 1-32 were rejected as unpatentable over one or more of Nomura et al. (U.S. Patent No. 5,881,299), Britz (U.S. Patent No. 5,414,444) and Imai et al. (U.S. Design Patent No. 377,341). In the Decision on Appeal, rejections of the final Office action were affirmed. The applicant respectfully traverses each of the rejections.

The applicant respectfully submits that independent claim 1, 5, 7, 10, 12, 19, 24, and 28 as amended are patentable over the art cited in the final Office action. In particular, each of independent claims 1 and 7 recites, *inter alia*, an apparatus having a first sub-panel and a second sub-panel with an identical vertical resolution. None of the cited references, whether taken alone or in combination, teaches or suggests such a structure.

Briefly, as set forth in detail below, none of the cited references discloses or suggests the use of first and second sub-panels with an identical vertical resolution. Because none of the cited references makes such a disclosure, no combination of these references, even if there were motivation for such a combination, can result in the claimed apparatus.

Turning to the cited references, Nomura et al. generally disclose an information device having a display panel to form a plurality of display areas. However, Nomura et al. fail to teach or suggest the use of sub-panels having an identical vertical resolution. Instead, Nomura et al. disclose a display panel having a first display area and a second display area

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with different vertical resolutions. In particular, area 1 has a vertical resolution of one pixel (i.e., a resolution of 8 x 1 pixels) and area 2 has a vertical resolution of 239 pixels (i.e., a resolution of 160 x 239 pixels). *See, e.g.*, Nomura et al., col. 4, lines 56-62, and FIG. 2A (Nomura et al. incorrectly indicates that area 2 is formed of 160 pixels in a vertical direction instead of 239 pixels as indicated in, for example, FIG. 2A).

Further, Nomura et al. disclose a display panel with one display area requiring fixed, predetermined shapes to display information. *See, e.g.*, Nomura et al., col. 4, line 66 – col. 5, line 7 (Nomura et al. incorrectly indicates that area 2 includes pixels 18-1 to 18-8 instead of area 1 as indicated in, for example, FIG. 2A). The shapes of pixels in area 1 are configured to display only (1) the intensity of electric field between an information device and a base station (i.e., pixels 18-1 to 18-4), and (2) the residual amount of a battery (e.g., pixels 18-5 to 18-8). *See, e.g.*, Nomura et al., FIGS. 1, 2B, and 2C. Thus, selectively providing power to a row of eight pixels in area 1 of the display panel disclosed by Nomura et al. is meaningless without the fixed, predetermined shapes. *See, e.g.*, Nomura et al., FIGS. 2B and 2C. Therefore, independent claims 1 and 7, and all claims dependent thereon, are allowable.

Independent claims 5 and 10 are also allowable. Each of claims 5 and 10 recites, *inter alia*, the use of a first display panel and a second display panel having an identical vertical resolution. As explained above, Nomura et al. fails to teach or suggest such a structure. Accordingly, independent claims 5 and 10, and all claims dependent thereon, are allowable.

Independent claims 12, 19, 24, and 28 are also allowable. Each of claims 12, 19, 24, and 28 recites, *inter alia*, the use of a first portion and a second portion of a display having an identical vertical resolution. As explained above, Nomura et al. fails to teach or suggest such a structure. Accordingly, independent claims 12, 19, 24, and 28, and all claims depending thereon, are allowable.

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The remaining references fail to overcome the above-noted deficiencies of Nomura et al. Britz generally suggests the use of a communication LCD output unit and a high resolution color touch screen graphic display but Britz fails to disclose or suggest the use of sub-panels having an identical vertical resolution, the use of display panels having an identical vertical resolution, or the use of portions of a display having an identical vertical resolution. Imai et al. also fails to disclose or suggest the use of sub-panels having an identical vertical resolution, the use of display panels having an identical vertical resolution, or the use of portions of a display having an identical vertical resolution. Rather, Imai et al. merely discloses an ornamental design for a portable communication terminal.

Because none of the cited references discloses or suggests the use of sub-panels having an identical vertical resolution, the use of display panels having an identical vertical resolution, or the use of portions of a display having an identical vertical resolution, it follows that no combination of these references renders the pending claims obvious. In fact, none of the cited references recognizes the necessity of using sub-panels having an identical vertical resolution, display panels having an identical vertical resolution, or portions of a display having an identical vertical resolution (i.e., a problem with different vertical resolutions). See MPEP 2141.02. As indicated in the application, a display controller may undermine bus bandwidth, memory resources, and frame rates by refreshing the larger resolution of two different vertical resolutions. See, e.g., Simmer, col. 6, lines 48-51, and FIG. 2. Accordingly, the obviousness rejections based thereon should be withdrawn.

For at least the foregoing reasons, it is respectfully submitted that the pending claims are in condition for allowance. If, for any reason, the examiner is unable to allow the application in the next Office action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below to discuss this matter.

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The Commissioner is authorized to charge any fee deficiency required by this paper,
or credit any overpayment, to Deposit Account No. 50-0221.

Respectfully submitted,

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6/23/05
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